

**STATE OF NEVADA
BOARD OF EXAMINERS
FOR LONG TERM CARE ADMINISTRATORS**

**MINUTES OF QUARTERLY MEETING
AUGUST 10, 2004
DIVISION OF BUSINESS AND INDUSTRY
4600 KIETZKE LANE
RENO, NV 89502**

1.** THE MEETING WAS CALLED TO ORDER BY THE CHAIRMAN, MARGARET MCCONNELL, AT 9:35 A.M.

2.** TERRY PEDROTTI, EXECUTIVE SECRETARY, CALLED THE ROLL:

BOARD MEMBERS:

MARGARET MCCONNELL
DONNA ROSE
DOUGLAS SINCLAIR
TERRY CLODT – EXCUSED

MARY ELLEN WILKINSON
CAROL SALA
ARNOLD GREENHOUSE

STAFF:

CHARLOTTE BIBLE
TERRY PEDROTTI

GUESTS:

DEBBIE BAGNATO, BLC CARSON CITY

MARGARET MCCONNELL WELCOMED OUR GUEST, DEBBIE BAGNATO, AND STATED THAT SINCE THERE WERE SO FEW GUESTS, MS. BAGNATO WAS WELCOME TO PARTICIPATE IN ANY OF THE DISCUSSIONS.

ALSO, MS. MCCONNELL SUGGESTED THAT AGENDA ITEMS MIGHT BE TAKEN OUT OF ORDER TO CONDUCT BUSINESS IN THE MOST EFFICIENT MANNER. MS. MCCONNELL STATED THAT THE BOARD WOULD BE ADOPTING AMENDMENTS TO THE REGULATIONS NO EARLIER THAN 10:30 A.M.

3.** DONNA ROSE, SECRETARY/TREASURER WAS ASKED TO GIVE HER REPORTS:

A. THE MINUTES OF THE LAST QUARTERLY MEETING HELD ON MAY 11, 2004 HAD PREVIOUSLY BEEN DISTRIBUTED. DONNA ROSE MOVED TO ACCEPT THE MINUTES AS WRITTEN SINCE THERE WERE NO CORRECTIONS, ADDITIONS OR DELETIONS. CAROL SALA SECONDED THE MOTION, AND THE MOTION WAS CARRIED.

B. THE FINANCIAL REPORTS WERE REVIEWED AND ACCEPTED. THE 2004 – 2005 BUDGET PROJECTIONS WERE REVIEWED, AND MS. ROSE EXPLAINED THAT THE COMING FISCAL YEAR WOULD SHOW THE HISTORICAL SHORTFALL OF INCOME DUE TO FEWER LICENSES COMING UP FOR RENEWAL AS OCCURS EVERY SECOND YEAR. DOUGLAS SINCLAIR MOVED TO ACCEPT THE FINANCIAL REPORTS AND BUDGET PROJECTIONS. CAROL SALA SECONDED THE MOTION. THE MOTION WAS CARRIED.

4.** TERRY PEDROTTI GAVE THE ADMINISTRATIVE REPORT EXPLAINING THE LICENSEE ACTIVITY REPORT THAT IS SENT TO MR. LORNE MALKIEWICH, DIRECTOR OF THE LEGISLATIVE COUNSEL BUREAU, QUARTERLY. THE REPORT SHOWED THAT NEVADA IS CONTINUING WITH THE REGULAR ISSUANCE OF NFA AND RFA LICENSES, SHOWING A SLIGHT INCREASE IN NFA LICENSES. MS. PEDROTTI QUESTIONED WHY A NUMBER OF THE APPLICANTS WHO BECOME LICENSED IN NEVADA, SHORTLY THEREAFTER MOVE ON TO CALIFORNIA TO BECOME LICENSED THERE.

DONNA ROSE EXPLAINED THAT PROBABLY IS DUE TO THE FACT THAT OUR SYSTEM IS FRIENDLIER AND OUR PROCESSING IS MORE RAPID.

MS. MCCONNELL OBSERVED THE FACT THAT THE NUMBER OF OUR RFA LICENSEES HAS DROPPED BY ABOUT 10%. MS. PEDROTTI EXPLAINED THAT SOME OF THE OLDER LICENSEES ARE RETIRING, BUT ALSO THE COSTS OF INSURANCE AND RELATED LICENSES HAS CAUSED THE COST OF DOING BUSINESS TO INCREASE. THIS IS AN ISSUE THAT REQUIRES SOME FUTURE SCRUTINY.

TERRY PEDROTTI EXPRESSED CONCERNS ABOUT THE EVIDENCE THAT SOME OF THE LICENSEES ARE DISPLAYING THEIR LICENSES AT MORE THAN THE LEGAL NUMBER OF FACILITIES AND HOW TO DEAL WITH THAT ISSUE, AS THEY ARE IN VIOLATION OF OUR NAC 654.250, SECTION 2.

A DISCUSSION FOLLOWED IN WHICH IT WAS DETERMINED THAT BLC WILL BE ASKED TO BE MORE VIGILANT ABOUT THE INDIVIDUALS DISPLAYING "ORIGINAL" LICENSES RATHER THAN COPIES. ADDITIONALLY, CHARLOTTE BIBLE SUGGESTED THAT A BOARD MEMBER MIGHT DO AN INVESTIGATION, FOLLOWED BY DISCIPLINARY ACTION.

ANOTHER SUGGESTION WAS MADE TO HAVE TERRY PEDROTTI CONTACT PAUL SHUBERT OF THE LAS VEGAS BLC OFFICE TO TRY TO DETERMINE HOW MANY LICENSEES MIGHT BE IN VIOLATION OF THE RULES AND REGULATION.

DEBBIE BAGNATO SUGGESTED THAT TERRY PEDROTTI CALL SUZIE DEVERE IN CARSON CITY BLC TO CHECK THE DATA BASE.

MS. MCCONNELL INDICATED THAT ONCE THE INFORMATION IS OBTAINED, SHE WILL ASSIGN AN INVESTIGATOR AND PROCEED WITH DISCIPLINARY ACTION IF REQUIRED.

5.** ADMINISTRATOR LICENSES FOR FINAL APPROVAL:

A. NFA LICENSEES:

1. AMOUREUX, WILLIAM
2. FEEBACK, THOMAS E. (REAPPLISICATION)
3. LIEBO, JULIE M.

ALL THE CONDITIONS HAVING BEEN MET. ARNOLD GREENHOUSE MOVED TO APPROVE LICENSES TO THE APPLICANTS. DOUGLAS SINCLAIR SECONDED THE MOTION, AND THE MOTION WAS CARRIED.

B. RFA LICENSEES:

1. BERG, BRUCE
2. DEVERA, CAROLINA C.
3. GREGG, JEFFREY L.
4. KAUFFMAN, ARLENE
5. KRAUSE, LORRAINE
6. ROKOS, LINDA
7. SCHWARTZ, ROBERT
8. STENROOS, DARYL
9. VILLANUEVA, IMELDA C.
10. VITALE, JILL
11. YAUGER, BOBBIE

ALL THE REQUIREMENTS WERE MET, DOUGLAS SINCLAIR MOVED TO APPROVE LICENSES TO THE APPLICANTS. ARNOLD GREENHOUSE SECONDED THE MOTION. THE MOTION WAS CARRIED.

C. INACTIVE LICENSEE REQUESTS:

1. KOLESAR, JOHN, RFA
2. MILLER, DANNA, NFA
3. PREWITT, RON, NFA

THE APPROPRIATE NOTIFICATION AND FEES WERE SUBMITTED. ARNOLD GREENHOUSE MOVED TO ACCEPT THE REQUESTS FOR INACTIVE STATUS. CAROL SALA SECONDED THE MOTION, AND THE MOTION WAS CARRIED.

6.** UNFINISHED BUSINESS:

A. AIT TRAINING AND PRECEPTOR TRAINING:

DONNA ROSE PRESENTED THE COMPLETED SPREAD SHEET THAT INDICATES THE STATUS OF THE NEVADA NURSING FACILITIES RELATIVE TO AN AIT PROGRAM. MS. ROSE SUGGESTED THAT A LETTER OF CLARIFICATION WILL BE DRAFTED, REVIEWED BY CHARLOTTE BIBLE, THEN SENT TO EACH OF THE PARTICIPATING FACILITIES ASKING THEM TO BECOME CERTIFIED BY NAB AND/OR SEND THE BOARD A COPY OF THE APPROVED PROGRAM AND THE DATE BY WHICH IT WAS APPROVED.

CHARLOTTE BIBLE SUGGESTED THAT THE BOARD CAN MAKE NEW REQUIREMENTS FOR THE AIT PROGRAM TO BE COMMENSURATE WITH THE NAB PROGRAM AND REQUIRING A NEW APPROVAL, WITH A REVIEW EVERY 5 YEARS FOR UPDATING PURPOSES. MS. BIBLE SUGGESTED THAT IF THE BOARD WISHES TO, A TEMPORARY REGULATION CAN BE IMPLEMENTED TO ADDRESS THAT ISSUE.

MS. MCCONNELL REFERRED TO THE AIT PROGRAM USED BY NORTH CAROLINA AND SHARED WITH THE BOARD. ONE OF THE SPECIFIC POINTS THAT PROBABLY SHOULD BE ADDRESSED IS A MONITORING PROCEDURE BY HAVING A BOARD MEMBER OR STAFF VISIT THE FACILITY UNANNOUNCED TO ASSURE THAT THE TRAINING IS PROCEEDING IN ACCORDANCE WITH REGULATIONS.

MS. MCCONNELL SUGGESTED THAT IF THE BOARD'S BUDGET PEERMITS, A BOARD MEMBER SHOULD BE SENT TO NORTH CAROLINA TO REVIEW THE PROGRAM IN PERSON, AND REQUESTED THAT THIS ISSUE BE PLACED ON THE AGENDA FOR THE NEXT BOARD MEETING AS AN ACTION ITEM.

DONNA ROSE STATED THAT THE BOARD MEMBERS SHOULD REVIEW IN DETAIL THE NORTH CAROLINA PROCEDURE AND COME BACK TO THE BOARD WITH SUGGESTIONS OF SOME OF THE IDEAS FROM THE NORTH CAROLINA PROGRAM THAT COULD BE ADOPTED BY THIS BOARD, AS SOME OF THE IDEAS ARE NOT FEASIBLE FOR THIS BOARD AND STATE.

IT WAS DETERMINED THAT A LETTER TO THE FACILITIES SHOULD BE SENT TO THE FACILITIES AT A LATER DATE WHEN A MORE DEFINITIVE PROGRAM IS DECIDED UPON.

MARGARET MCCONNELL ANNOUNCED THAT THE NEXT NAB MID-YEAR MEETING WILL BE HELD IN SCOTTSDALE, ARIZONA AND INVITED THE BOARD MEMBERS TO ATTEND, IF THEY WISHED.

B. ELDERLY ABUSE TRAINING:

MARGARET MCCONNELL ANNOUNCED THAT THE ELDER ABUSE TRAINING THAT WAS HELD ON JUNE 4, 2004 IN LAS VEGAS WAS A SUCCESS, AND TERRY PEDROTTI WAS ASKED TO SEND THE SUMMARY OF EVALUATIONS OF THE PROGRAM TO THE BOARD MEMBERS. ALSO PLANS ARE BEING CONSIDERED TO REPEAT THE PROGRAM IN NORTHERN NEVADA.

C. SHARING RENEWAL DATES WITH PROVIDERS OF CONTINUING EDUCATION:

A DISCUSSION FOLLOWED IN WHICH IT WAS DETERMINED THAT A LIST OF LICENSEES AND EXPIRATION DATES OF THEIR LICENSES COULD BE FEASIBLY COMPILED AND SENT TO THE SPECIFIC PROVIDERS AT A MINIMAL COST. MARY ELLEN WILKINSON MOVED TO PRODUCE THE LIST OF LICENSED ADMINISTRATORS WITH THE APPROPRIATE FIELDS, FOR THE MATERIAL COSTS INCURRED BY THE BOARD FOR DISTRIBUTION TO REQUESTING ORGANIZATIONS. ARNOLD GREENHOUSE SECONDED.

MS. MCCONNELL ASKED THAT THE MOTION BE AMENDED TO INCLUDE NAMES, ADDRESSES AND EXPIRATION DATES ONLY. THE MOTION WAS CARRIED.

MARY ELLEN WILKINSON ASKED THAT THE LISTS OF ALL ACTIVE LICENSEES BE SENT TO ALL BOARD MEMBERS ON A REGULAR BASIS. TERRY PEDROTTI AGREED AND WILL DO SO.

D. RC/AL TRAINING FOR APPLICANTS:

MARGARET MCCONNELL DESCRIBED A TRAINING PROGRAM FOR RC/AL APPLICANTS THAT WAS SHARED WITH THE BOARD FROM MR. ROBERT VAN DYKE OF HEALTH CARE INC., NEW JERSEY THAT IS MORE COMPREHENSIVE AND COMPLETE THAN THE PRESENT TRAINING SYSTEM USED BY THIS BOARD. ALTHOUGH NOT ALL OF THE ITEMS CONTAINED IN THAT SYSTEM WOULD BE FEASIBLE FOR THIS STATE, A NUMBER OF IDEAS COULD BE IMPLEMENTED IN NEVADA. THE END PURPOSE IS FOR THE BOARD TO DETERMINE WHETHER IT SHOULD EXPLORE BETTER TRAINING FOR THE APPLICANTS OF RC/AL LICENSES.

ONE OF THE IDEAS DISCUSSED WAS AN ACTUAL "HANDS-ON" TRAINING BY THE APPLICANTS IN EXISTING ASSISTED LIVING FACILITIES; ANOTHER WAS THE IMPLEMENTATION OF AN UPDATED TRAINING SYSTEM FOR EITHER HOME STUDY OR CLASSROOM STUDY. MS. MCCONNELL SUGGESTED THAT AN INTERESTED PROVIDER IN NEVADA MIGHT BE INTERESTED IN VISITING NEW JERSEY TO OBSERVE WHAT IS BEING DONE TO BETTER EDUCATE THE APPLICANTS FOR RC/AL ADMINISTRATORS.

IT WAS SUGGESTED THAT A FORM OF ANNOUNCEMENT MIGHT BE SENT TO PROVIDERS WHO MIGHT BE INTERESTED IN OFFERING A FORM OF TRAINING THAT WOULD BE FEASIBLE. MS. MCCONNELL ALSO SUGGESTED THAT EACH OF THE BOARD MEMBERS REVIEW THE NEW JERSEY PROGRAM AND COME BACK TO THE BOARD WITH SUGGESTIONS FOR A FORMAL PROGRAM TAILORED FOR THE STATE OF NEVADA.

MS. MCCONNELL REQUESTED A MOTION. ARNOLD GREENHOUSE MOVED TO DIRECT MS. MCCONNELL TO PURSUE PUTTING TOGETHER SOME SUGGESTIONS FOR THE BOARD TO CONSIDER IN UPGRADING THE TRAINING FOR RC/AL APPLICANTS. DONNA ROSE SECONDED THE MOTION AND THE MOTION WAS CARRIED.

NEW BUSINESS:

9.** DEPUTY ATTORNEY GENERAL COMMENTS:

CHARLOTTE BIBLE EXPLAINED THE BILL DRAFT BEING PROPOSED BY THE ATTORNEY GENERAL FOR CONSIDERATION AT THE NEXT LEGISLATIVE SESSION. THE BILL DRAFT NAMELY REQUESTS THAT A COMMISSION OF OCCUPATIONAL LICENSING IS TO BE CREATED TO PROVIDE TWENTY-SIX BOARDS WITH THE MEANS OF PURSUING INVESTIGATIVE PROCEDURES AND DISCIPLINARY ACTIONS THROUGH THIS COMMISSION, AND TO PROVIDE RESOURCES FOR THOSE BOARDS WHO DO NOT HAVE THE FUNDS TO PURSUE COMPLAINTS.

SEVERAL OBJECTIONS WERE CITED BY THE BOARD MEMBERS: I.E.: THIS WOULD CREATE ANOTHER GOVERNMENT ENTITY; INVESTIGATORS WHO DO NOT UNDERSTAND THE RULES AND REGULATIONS OF THE INDIVIDUAL BOARDS; THE INTENTS AND CONCERNS OF THE BOARD; THE SIGNIFICANCE OF TIMING; THE SUBTLETIES THAT A BOARD MEMBER KNOWS AND LOOKS FOR; THE EXPENSES INVOLVED; ETC.

A SUGGESTION WAS MADE THAT PERHAPS A CHOICE COULD BE GIVEN TO THE INDIVIDUAL BOARDS TO USE OR NOT USE THIS COMMISSION. MS. BIBLE STATED THAT SOME OF THE BOARDS ON THE LIST MIGHT CHOOSE NOT TO PARTICIPATE AND OPT OUT, AND THAT THIS WAS PRESENTED TO SEE HOW MANY BOARDS WILL SUPPORT THIS CONCEPT. MS. BIBLE WILL TAKE THESE COMMENTS BACK.

THE BOARD MEMBERS DETERMINED THEY WOULD LIKE TO STUDY THE PROPOSAL IN DEPTH AND BRING THEIR COMMENTS BACK AT THE NEXT QUARTERLY MEETING AS TO WHETHER OR NOT THEY WOULD SUPPORT THIS BDR.

10. SUSPECTED CHILD ABUSE REPORT PROTOCOL:
THIS ITEM WAS FOR INFORMATION ONLY.

MARGARET MCCONNELL ASKED IF ALL OF THE BOARD MEMBERS HAD RECEIVED THEIR COPIES OF THE LEGAL PRACTICE ENVIRONMENT OF ALL 50 STATES FOR NURSING HOME ADMINISTRATORS. THIS INFORMATION WILL BE DISCUSSED AT THE NEXT QUARTERLY MEETING. MS. MCCONNELL SPECIFICALLY ASKED THE BOARD MEMBERS TO REVIEW PAGE 31 OF THE REPORT, STATING THAT THE TABLE LISTS ALL 50 STATES AND THE REQUIRED EDUCATION, EXPERIENCE, HOURS OF AIT, EXAMS, ETC., AND THE BOARD MEMBERS SHOULD FOCUS ON THE POSSIBILITY OF INCLUDING A STATE EXAM FOR NEVADA.

11. DEBBIE BAGNATO SUGGESTED THAT A STATE EXAM MIGHT BE WORTH CONSIDERING, BECAUSE MANY OF THE ADMINISTRATORS, ESPECIALLY THOSE WITH SMALLER FACILITIES, ARE NOT THOROUGHLY FAMILIAR WITH THE RULES AND REGULATIONS OF NEVADA, AND IT NEED NOT BE A VERY DIFFICULT EXAM OR A LENGTHY ONE.

12.** THE MEMBERS WERE ASKED TO CONSULT THEIR CALENDARS FOR A DATE/TIME/LOCATION OF THE NEXT MEETING. THE MEMBERS DETERMINED THAT TUESDAY, NOVEMBER 16, 2004, AT 9:30 A.M. WOULD BE A MUTUALLY CONVENIENT TIME FOR THE MEETING. ARNOLD GREENHOUSE WILL NOT BE ABLE TO ATTEND THAT MEETING AND ASKED TO BE EXCUSED.

AT 11:35 A.M., MARGARET MCCONNELL ANNOUNCED THAT A SHORT BREAK WAS IN ORDER AND WOULD RESUME AT 11:45 A.M.

8. INTENT TO ADOPT PROPOSED AMENDMENTS TO REGULATIONS NAC 654:**

MARGARET MCCONNELL CALLED THE MEETING TO ORDER AT 11:45 A.M. MARY ELLEN WILKINSON ASKED TO BE EXCUSED, BUT A QUORUM WAS STILL PRESENT. MS. MCCONNELL ASKED CHARLOTTE BIBLE TO EXPLAIN THE AMENDMENTS AS APPROVED BY THE LEGISLATIVE COUNSEL BUREAU.

CHARLOTTE BIBLE DISTRIBUTED THE APPROVED VERSION OF THE AMENDMENTS TO THE BOARD MEMBERS AND EXPLAINED THEM. A DISCUSSION FOLLOWED WHERE ALL OF THE PROPOSED CHANGES WERE DISCUSSED. MARGARET MCCONNELL ASKED IF ANY OF THE CHANGES REQUESTED BY THE BOARD HAD NOT BEEN INCLUDED IN THE LCB VERSION? CHARLOTTE BIBLE STATED THAT NOTHING HAD BEEN ELIMINATED.

MARGARET MCCONNELL RAISED TWO ISSUES THAT WERE NOT CLEAR, NAMELY: THE FINES THAT CAN BE IMPOSED IN DISCIPLINARY ACTIONS UP TO \$2500. THE QUESTION IS DOES THE \$2500 FINE APPLY PER INCIDENT? CHARLOTTE BIBLE STATED THAT ISSUE MIGHT BE OPEN TO INTERPRETATION, BUT FEELS THAT THE STATUTE MEANS UP TO \$2500, BUT NOT FOR EVERY INCIDENT. HOWEVER, SHE WOULD DO FURTHER RESEARCH INTO THE ISSUE. THE SECOND ISSUE IS THE REQUIREMENTS FOR AN AIT REGULATION AND PRECEPTOR TRAINING THAT SHOULD BE REVISITED IN THE FUTURE.

ARNOLD GREENHOUSE MOVED TO ADOPT THE LCB VERSION OF THE AMENDMENTS TO NAC CHAPTER 654. DOUGLAS SINCLAIR SECONDED THE MOTION, AND THE MOTION WAS CARRIED.

A COPY OF THE LCB DRAFT OF PROPOSED REGULATION R 131-04 IS ATTACHED AND IS AN INTEGRAL PART OF THESE MINUTES.

MARGARET MCCONNELL ASKED THAT THE AMENDMENTS BE PUT ONTO THE WEBSITE, AND REQUESTED TERRY PEDROTTI TO NOTIFY THE LICENSEES IN AN APPROPRIATE MANNER OF THE CHANGES TO THE RULES AND

REGULATIONS AS SOON AS THEY BECOME EFFECTIVE. THE SUGGESTION WAS MADE TO CREATE A FLYER AND DO A MASS MAILING TO ALL THE ACTIVE LICENSEES.

13:** SINCE THERE WAS NO FURTHER BUSINESS, MARGARET MCCONNELL REQUESTED A MOTION. DOUGLAS SINCLAIR MOVED TO ADJOURN THE MEETING AT 12:30 P.M. ARNOLD GREENHOUSE SECONDED THE MOTION, AND THE MOTION WAS CARRIED.

RESPECTFULLY SUBMITTED:

TERRY PEDROTTI, EXECUTIVE SECRETARY

ATTESTED:

DONNA ROSE, SECRETARY/TREASURER